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4 Attorney for "Defend our Freedoms" Foundation

6 UNITED STATES DISTRICT COURT

7 CENTRAL DISTRICT OF CALIFORNIA – SOUTHERN DIVISION

9 LISA LIBERI and PHILIP J. BEG,
10 ESQUIRE and THE LAW OFFICES OF
11 PHILIP J. BERG and EVELYN ADAMS
12 a/k/a MOMMA E and LISA M. OSTELLA
and GO EXCEL GLOBAL,

13 Plaintiffs,

13 vs.

14 ORLY TAITZ, a/k/a DR. ORLY TAITZ,
15 a/k/a LAW OFFICES OF ORLY TAITZ;
16 a/k/a ORLY TAITZ, INC. and DEFEND
OUR FREEDOMS FOUNDATIONS,
17 INC. and YOSEF TAITZ and THE
SANKEY FIRM and SANKEY
18 INVESTIGATIONS, INC. and NEIL
SANKEY and JAMES SUNQUIST and
19 ROCK SALT PUBLISHING and LINDA
SUE BELCHER a/k/a LINDA S.
20 BELCHER a/k/a LINDA STARR; a/k/a
NEWWOMENSPARTY a/k/a
21 STITCHENWITCH a/k/a EVA BRAUN
a/k/a WEB SERGEANT a/k/a KATY a/k/a
22 WWW.OBAMACITIZENSHIPDEBATE.
ORG and EDGAR HALE a/k/a JD
23 SMITH; and CAREN HALE; and PLAINS
RADIO NETWORK, a/k/a PLAINS
24 RADIO NETWORK, INC. a/k/a PLAINS
RADIO; and BAR H FARMS; and KPRN
AM 1610; and DOES 1 through 200
Inclusive,

25 Defendants.

26 DATED: July 11, 2011

CASE NO. 8:11-cv-00485-AG (AJW)

Request for judicial notice of
Declaration by Lisa Liberi in criminal
case FWV 028000, where Liberi
voluntarily entered in public record
her full unredacted social security
number

Bankruptcy petitions by Lisa Liberi,
filed in 2000 and 2002 with full,
unredacted social security numbers
Criminal record of Lisa Liberi from
San Bernardino superior court
showing 10 felony convictions of
grand theft, forgery of an official seal
and offer to file forged/alterd
documents

Date: August 8, 2011

Time: 10:00 a.m.

Dept.: Crtrm 10D

Judge: Andrew J. Guilford
Magistrate Judge: Robert N. Block
Trial Date: June 5, 2012
Complaint Filed: May 4, 2009

/s/ Orly Taitz

Proof of service

I attest, that a true and correct copy of the above pleadings was served on all the parties to
this action by ECF and/or e-mail on 07.11.2011

/s/ Orly Taitz

DECLARATION BY ORLY TAITZ, ESQ

I Declare under penalty of perjury, that Attached declaration of Lisa Liberi is a true
and correct copy of the declaration filed by Lisa Liberi in San Bernardino, CA
Superior Court on September 21, 2006 and signed under penalty of perjury by Lisa
Liberi. On the first page of the declaration, which is contained in public records,
Lisa Liberi entered her full unredacted social security number. For the purpose of
this filing I redacted the last four digits of Liberi's Social Security number.

/s/ Orly Taitz

DECLARATION OF LISA LIBERI

I, Lisa Liberi, do hereby declare that:

I am the defendant in the within action and am making this Declaration in support of my Motion to recuse the Office of the District for the County of San Bernardino.

1. On numerous occasions during the pendency of this action, DDA Secord has made reference to a criminal record which I purportedly had in the State of Texas. These references were made during my attempts to obtain an OR release or bail reduction and appear to have been an attempt to prejudice the Court against me. The attempt was apparently successful as the Court wouldn't even grant electronic monitoring.

2. While it is true that in or about 1985, I was arrested in Waco, Texas, my mother, Shirley Waddell posted bail for me, no charges were filed against me and, obviously, I was not convicted of anything. I do not recall what I was arrested for, as it was 21 years ago.

3. My attorney asked me what the District Attorney was talking about. In an effort to establish the truth, I went to the Texas Department of Public Safety, Crime Records Service, and Computerized Criminal History at [redacted] and ran my name as Lisa R. Richardson and as Lisa R. Courville with my date of birth, May 28, 1965, no criminal records were found. (A true and correct copy of the search is attached hereto and incorporated in by reference as Exhibit 1.)

4. I then went to Instant Criminal Checks and paid to run my name with my social security number [redacted] 6858 at [redacted], again, no records were found. (A true and correct copy of the instant criminal check is attached hereto and incorporated in by reference as Exhibit 2.)

DECLARATION OF LISA LIBERI

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- 2 5. A few months after the arrest in Texas, I secured a job, got married to William Courville
- 3 and we bought a home together in Texas.
- 4
- 5 6. I was divorced in or about the end of 1989 and I accepted a transfer to Newport Beach,
- 6 California with the company I was working for. I relocated from Texas to California in
- 7 or about December 1989.
- 8
- 9 7. On January 15, 2002 a Search Warrant was served on my property located at 11952
- 10 Huntley Avenue, Etiwanda, California 91739. At this same time, I was arrested on
- 11 allegations of P.C. 470 and P.C. 487, based on San Bernardino County Sheriff's
- 12 Department Case #110200477.
- 13
- 14 8. My bail was set at \$20,000 which was posted on January 15, 2002 and I was released
- 15 from West Valley Detention Center.
- 16
- 17 9. February 25, 2002 my Arraignment came on for hearing in San Bernardino County
- 18 Superior Court, Rancho Cucamonga District, Case #0201341972. No one from the San
- 19 Bernardino County District Attorney's Office appeared, no charges were filed, my bail
- 20 bond was exonerated and I was released.
- 21
- 22 10. In or about September 2002, I filed a motion in my Paternity Action, San Bernardino
- 23 County Superior Court, Rancho Cucamonga District, Case #RFL-034080, requesting
- 24 permission to relocate with my minor son to New Mexico. On or about October 18,
- 25 2002, my motion was granted along with a new visitation order permitting my child's
- 26 biological father, John Allen to visit with our son in Albuquerque, New Mexico the third
- 27 weekend of every month at Neutral Corner, a County facility.
- 28
11. In or about early November 2002, my husband, child and I relocated to New Mexico.

DECLARATION OF LISA LIBERI

1 The reason for the relocation was due to my health complications, harassment I was
2 enduring from my child's biological father, my father's poor health and to be closer to
3 my family and assist my sister with her medical and psychiatric conditions. The District
4 Attorney has alleged that I fled California to avoid prosecution without a single shred of
5 evidence to support such an allegation, once again attempting to prejudice the Court
6 against me.

7
8 12. Upon arrival in New Mexico, my husband, Brent Liberi, immediately obtained a job with
9 Seeds of Change located in Santa Fe. My husband is still with this company and was
10 recently promoted.

11 13. January 14, 2003, Michelle D. Strickland, Esq. filed a civil lawsuit on my behalf, in San
12 Bernardino County Superior Court, Central District, Case #SCVSS-98957 against among
13 others, Paul Morrison, the investigating officer in the matter herein.

14 14. April 01, 2003 Michelle D. Strickland filed a motion re Writ of Possession. D.D.A.
15 James Secord made an appearance as a Special Party of Interest. I was not present for
16 this hearing, however, I was informed by Ms. Strickland that D.D.A. Secord stated I was
17 under investigation and was required to bring the motion for writ of possession before the
18 Judge who issued the search warrant. This was the first time I heard I was under
19 investigation. Based on the statements of D.D.A. Secord my motion was denied without
20 prejudice.
21

22 15. April 10, 2003, Ms. Strickland filed a motion for reconsideration as she determined the
23 statements given by D.D.A. Secord were not accurate. A hearing was set for May 13,
24 2003.
25

26 16. May 09, 2003 the San Bernardino County District Attorney's Office filed the first set of
27 charges against me, Case #FWV 028000, based on the same San Bernardino County
28

DECLARATION OF LISA LIBERI

1 Sheriff's Department Case #110200477.

2 17. In or about October 2003, during the ongoing preliminary hearing in this matter, D.D.A.
3 James Secord obtained an ex parte order from the Orange County Superior Court,
4 Lamoreaux Justice Center in order to obtain access to my confidential Paternity Action,
5 Case #AD-60301. D.D.A. Secord failed to give notice to my attorney's or any parties
6 associated with the Paternity Action so they would have an opportunity to protect the
7 confidentiality of that file. I learned of this during my preliminary hearing in Case
8 #FWV-028000 when D.D.A. Secord had my Paternity file brought up to the court room
9 and requested judicial notice of certain documents.
10

11 18. In or about February 2004, I learned that Randolph C. Houts, Attorney for USA Federal
12 Credit Union and a witness in this case obtained copies of documents which were located
13 within my Paternity Action.
14

15 19. On March 31, 2004, I underwent Open Heart Surgery at the Heart Hospital located in
16 Albuquerque, New Mexico.

17 20. As a result of the complications I suffered from my Open Heart Surgery, my court
18 appearances were continued. My then attorney, David Goldstein and D.D.A. James
19 Secord stipulated to have my court hearings continued to July 13, 2004.

20 21. On or about June 14, 2004, the San Bernardino County District Attorney's Office signed
21 for Government Claims filed on my behalf by Michelle D. Strickland for the illegal
22 access and dissemination of confidential documents taken from my Paternity Action to
23 Randolph C. Houts.
24

25 22. In or about mid June 2004, John Allen, D.D.A. Secord's witness contacted Officer Rudy
26 Gallegos with the Santa Fe Police Department and attempted to have me arrested on a
27 warrant prior to its issuance. The only way Mr. Allen would have had knowledge a
28

DECLARATION OF LISA LIBERI

1 warrant was being sought was from D.D.A. Secord and/or the San Bernardino County
2 District Attorney's Office. D.D.A. Secord was well aware that my child and I are the
3 victims of John Allen's crimes, for which Mr. Allen was convicted. Further, Mr. Allen
4 was aware I was being arrested when I flew to California as he also sent the child support
5 for July 2004 by restricted delivery knowing I would be unable to pick up the check. (A
6 true and correct copy of Officer Rudy Gallegos declaration is attached hereto and
7 incorporated in by reference as Exhibit 3.)
8

9 23. On June 30, 2004, D.D.A. James Secord obtained another warrant for my arrest from the
10 San Bernardino County Superior Court, Central District, Case #FSB 044914 under my
11 married name of LIBERI involving the same vehicle and Credit Union relative to which I
12 was litigating in the first case, Case #FWV-028000. D.D.A. Secord was aware I was
13 litigating the first case under my maiden name of RICHARDSON in San Bernardino
14 County Superior Court, Rancho Cucamonga District, as he was the deputy district
15 attorney who filed the first case, Case #FWV 028000.
16

17 24. July 12, 2004, I was arrested at the Ontario Airport by Michael Leiberich with the San
18 Bernardino County District Attorney's Office on behalf of D.D.A. Secord when I flew in
19 for my July 13, 2004 court date. As previously stated, D.D.A. Secord knew I would be
20 appearing as he had stipulated to the hearing date of July 13, 2004.
21

22 25. I was taken to West Valley Detention Center, booked and placed in isolation in the men's
23 unit. I suffered another heart attack, which shut down the bypassed area of my heart and
24 Ketoacidosis.

25 26. I appeared in Court July 14, 2004 in-custody for my Arraignment for Case #FSB 044914
26 and bail hearing on both cases. I entered a plea of Not Guilty to all counts. My bail on
27 this arrest, Case #FSB 044914 was set at \$100,000.00 with a 1275.1 hold. My
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DECLARATION OF LISA LIBERI

1 Preliminary hearing was set for July 26, 2004.

2 27. August 04, 2004 at 8:30 a.m. I was present for a bail hearing on both cases and to have
3 the 1275.1 hold removed on Case FSB-044914. D.D.A. Secord had Mr. Thomas Rice
4 from the Department of Insurance appear in attempts to have my bail bond agent, Scott
5 Mehr's license revoked. D.D.A. Secord stated to the court that Scott Mehr was kicking
6 me back money paid for the bail premium, and that he had a tape of our conversation.
7 This simply was not the case; Scott Mehr was reducing my bail premium to 8% based on
8 a new law which had just passed. Judge Pacheco removed the 1275.1 hold and asked
9 Mr. Mehr if he was posting my bail. D.D.A. Secord then made an oral motion and
10 attempted to have my bail raised to \$750,000.00. Judge Pacheco denied D.D.A. Secord's
11 request. Steve & Scott Mehr bail bonds posted my bail totaling \$350,000.00. I was
12 released from West Valley Detention Center on August 05, 2004.
13

14 28. On or about August 09, 2004, I had a court appearance in my Paternity Action. I arrived
15 at Department R-17 of this court at approximately 8:30 a.m. I was sitting in the
16 courtroom waiting for my attorney, P. Timothy Pittullo, when D.D.A. Secord appeared. I
17 got up and left the courtroom with a friend of mine, and D.D.A. Secord chased me down
18 the hall. It frightened me and I went into the women's bathroom and waited for awhile.
19 D.D.A. Secord was well aware that I was represented by counsel in the criminal matter.
20 And shouldn't talk to me without my lawyer. D.D.A. Secord came into Department R-17
21 two more times and my family attorney had to intervene.
22

23 29. On or about December 10, 2004, my civil attorney, Michelle D. Strickland filed a lawsuit
24 against D.D.A. Secord, D.A. Michael Ramos, San Bernardino County, San Bernardino
25 County District Attorney's Office, San Bernardino County District Attorney's Office
26 Investigator Robert Schreiber, and other defendants on my behalf and on behalf of my
27
28

DECLARATION OF LISA LIBERI

1 minor son, Clifford, for the illegal access and dissemination of confidential documents
2 from my Paternity Action. United States District Court, Central District of California,
3 Case #04-1524-VAP (SGLx).

4 30. In or about May 2005, San Bernardino County Counsel, representing D.D.A. James
5 Secord, D.A. Michael Ramos, San Bernardino County, San Bernardino County District
6 Attorney's Office, SBCDA Investigator Robert Schreiber and other county employees
7 filed a motion to dismiss pursuant to F.R.C.P. 12(B)(6).
8

9 31. County Counsel's motion to dismiss was heard on August 01, 2005. Honorable Virginia
10 Phillips dismissed Michael A. Ramos, SBCDA Investigator Robert Schreiber and the
11 District Attorney's Office, however found that there was sufficient allegations asserted
12 and held D.D.A. James Secord to answer nine (9) causes of action. The causes of actions
13 D.D.A. James Secord was held to answer for include Abuse of Process, Invasion of
14 Privacy, violation of equal protection of the laws, violations of non-discriminatory
15 policing services, civil conspiracies, 42 U.S.C. §§ 1983, 1985 and 1986 claims,
16 negligence and violations of due process rights. Judge Phillips further ruled that the
17 alleged conduct of D.D.A. Secord is not protected from prosecutorial immunity because
18 it falls outside the scope of his prosecutorial functions. (A true and correct copy of the
19 Federal Ruling on the County's motion to dismiss is attached hereto and incorporated in
20 by reference as Exhibit 4.)
21
22

23 32. I have not been treated fairly by D.D.A. Secord or as all other defendants are treated. It is
24 apparent that there is a conflict which prohibits D.D.A. Secord and the San Bernardino
25 County District Attorney's Office from making professional, unbiased decisions
26 pertaining to me and my case. I fear I have no chance at a fair trial as long as D.D.A.
27 Secord and the San Bernardino County District Attorney's Office are allowed to remain
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DECLARATION OF LISA LIBERI

1 on my case.

2 33. For the above aforementioned reasons, I respectfully request that D.D.A. James Secord
3 and the San Bernardino County District Attorney's office be recused to insure me a
4 chance at a fair trial.

5 I declare under the penalty of perjury of the laws of the State of California the foregoing is
6 true and correct.

7 DATED: September 21, 2006

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11 LISA LIBERI
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DECLARATION OF LISA LIBERI